

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 12, 2025

CASE NO(S).: OLT-24-001170

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	NYX Tannery LP
Subject:	Request to amend the Official Plan – Failure to adopt the requested amendment
Description:	To permit development of 12 and 14-storey buildings connected by 6-level podium, with 633 residential units
Reference Number:	OPA OZ 24-7
Property Address:	51 and 57 Tannery Street, and 208 Emby Drive
Municipality/UT:	Mississauga
OLT Case No.:	OLT-24-001170
OLT Lead Case No.:	OLT-24-001170
OLT Case Name:	NYX Tannery LP v. Mississauga (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	NYX Tannery LP
Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision To permit development of 12 and 14-storey buildings connected by 6-level podium, with 633 residential units
Reference Number:	OPA OZ 24-7
Property Address:	51 and 57 Tannery Street, and 208 Emby Drive
Municipality/UT:	Mississauga
OLT Case No.:	OLT-24-001169
OLT Lead Case No.:	OLT-24-001170

Heard: March 4, 2025 by Video Hearing

APPEARANCES:

Parties

NYX Tannery LP
("Applicant"/"Appellant")

City of Mississauga ("City")

Counsel

David Bronskill

Katie Pfaff
Baiqing Luo (*"in absentia"*)

MEMORANDUM OF ORAL DECISION DELIVERED BY ERIC S. CROWE ON MARCH 4, 2025 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] This is the Tribunal's Decision and Order stemming from the first Case Management Conference ("CMC") on the appeals of NYX Tannery LP, in respect of the failure of the council of the City of Mississauga ("City") to make decisions on planning applications for amendments to the City's Official Plan and Zoning By-law, affecting the lands municipally known as 51 and 57 Tannery Street and 208 Emby Drive ("Subject Lands").

[2] The applications would permit redevelopment of the Subject Lands with a 12-storey building and a 14-storey building connected by a 6-level podium, resulting in approximately 633 new dwelling units.

[3] The Subject Lands are designated as residential High Density and Green lands, identified as in the Streetsville Community Node Character Area and subject to certain special site policies in the Official Plan.

[4] The Affidavit of Notice of Service dated February 14, 2025, by Rochelle Vasquez was marked as **Exhibit 1**.

REQUESTS FOR STATUS

[5] The Tribunal received a Party Status notice from Julie Daly without any reasons. In addition, several emails to the case coordinator indicated that if she could not become a Party then she requested consideration of a Participant.

[6] Based on the submissions of the Parties with the lack of reasons and information for the Party Status request the Tribunal has extended the time for Ms. Daly to provide a Participant Statement on or before **Friday, March 7, 2025**. Ms. Daly did not provide a Participant Statement by the required date and thus was not granted Participant Status to these proceedings.

[7] Counsel for the Regional Municipality of Peel ("Region") advised that the Region will be seeking Participant status and was given the extended time on or before March 7, 2025. The Region did provide a Participant Statement and thus was granted Participant status to these proceedings.

[8] The Tribunal received no further requests for Party or Participant status.

PROCEDURAL MATTERS

[9] The Tribunal was in receipt of a draft Procedural Order ("PO") submitted by the Parties. The Tribunal was advised that a City Council meeting is scheduled for March 19, 2025, which will provide further instructions for counsel concerning this matter and to finalize the PO and Issues List.

[10] The Parties agreed on procedural matters and were seeking the scheduling of a 10 day hearing considering that there will be several experts for each Party. Based on the submissions of the Parties and the complexity of the case the Tribunal finds 10 days reasonable.

[11] The Tribunal inquired as to whether there were any other matters to be addressed, and the Parties indicated there were none.

NEXT STEPS

[12] A 10 day hearing is scheduled to commence **at 10 a.m. on Monday, October 20, 2025, and to continue to and including Friday, October 31, 2025**, by video conference.

[13] The Tribunal directs the Parties, in the event the matters are not settled, to prepare a final PO and to submit same **by no later than 4:30 p.m. on Monday, March 24, 2025**. The Tribunal has encouraged the Parties to continue to narrow the issues.

[14] Parties and Participants and Interested persons are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoTo Meeting: <https://meet.goto.com/370987861>

Access Code: 370-987-861

[15] Parties and Participants and Interested persons are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoTo Meeting](https://app.gotomeeting.com/home.html) or a web application is available: <https://app.gotomeeting.com/home.html>

[16] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio only telephone line: **+1 (647) 497-9391** or **(Toll Free) 1-888-455-1389**. The access code is **as indicated in paragraph 14 above**.

[17] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

MEDIATION

[18] The Parties were encouraged to request, through the Case Coordinator, Tribunal facilitated mediation to assist with settlement discussions should the parties deem it potentially helpful in this regard.

ORDER

[19] **THE TRIBUNAL ORDERS as follows:**

- (a) a 10 day hearing of the appeals has been scheduled as described above;
- (b) a final Procedural Order is to be delivered to the Tribunal **no later than 4:30 p.m. Monday, March 24, 2025;**

- (c) the Member will remain available for continued case management to the extent that the Tribunal calendar permits.

“Eric S. Crowe”

ERIC S. CROWE
MEMBER

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.